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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ECOLOGICAL RIGHTS
FOUNDATION, a non-profit corporation

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, and
MICHAEL S. REGAN, as Administrator
of the United States Environmental
Protection Agency,

Defendants.

Case No. 4:24-cv-03665-HSG

**STIPULATION AND ORDER TO
CONTINUE LITIGATION
DEADLINES (as modified)**

1 Plaintiff Ecological Rights Foundation and Defendants United States Environmental
2 Protection Agency (“EPA”) and Michael S. Regan, Administrator of the EPA (collectively, the
3 “Parties”) stipulate as follows:

4 1. The Parties have reached a tentative settlement that resolves all claims identified in
5 Plaintiff’s Notice of Intent and First Amended Complaint in this matter. *See* ECF 23.

6 2. The Parties have negotiated a proposed consent decree, and Defendants have secured
7 approval from senior-level officials for the proposed settlement.

8 3. The proposed consent decree has been published in the Federal Register for a 30-day
9 public notice and comment period consistent with EPA policy. The comment period closes
10 December 26, 2024. The notice is available here: [https://www.regulations.gov/document/EPA-](https://www.regulations.gov/document/EPA-HQ-OGC-2024-0531-0001)
11 [HQ-OGC-2024-0531-0001](https://www.regulations.gov/document/EPA-HQ-OGC-2024-0531-0001).

12 4. The Parties agree that an extension of all litigation deadlines is appropriate to conserve
13 resources and allow the parties the time necessary to finalize the settlement.

14 5. Per this Court’s November 5, 2024, Order, ECF 27, the current litigation deadlines are
15 as follows:

16 December 23, 2024 – Responsive Pleading Deadline

17 December 30, 2024 – Deadline to file ADR Certification

18 December 30, 2024 – Deadline to meet and confer re: initial disclosures, early
19 settlement, ADR process selection, and discovery plan

20 January 14, 2025 – Deadline to make initial disclosures

21 January 15, 2025 – Deadline to file Joint Case Management Statement

22 January 21, 2025 at 2 p.m. – Initial Case Management Conference
23

24 6. The Parties seek to continue all case management deadlines as follows to
25 accommodate the public notice and comment period. Provided there are no comments that EPA
26 finds warrant any change, the Parties intend to move for entry of the proposed consent decree
27 after the comment period closes. The Parties agree to amend the deadlines as follows:
28

January 17, 2025 – Responsive Pleading Deadline

January 24, 2025 – Deadline to file ADR Certification

January 24, 2024 – Deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan

February 14, 2025 – Deadline to make initial disclosures

February 14, 2025 – Deadline to file Joint Case Management Statement

February 25, 2025 – Initial Case Management Conference

7. The Parties respectfully request that this Court enter this stipulation and extend all litigation deadlines as outlined above.

8. The undersigned counsel for Defendants attest that the other signatories listed below concur in the filing of this document.

Dated: December 18, 2024

Respectfully submitted,

s/ Elizabeth Berg

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ORDER

The Parties' Joint Stipulation to continue all case management deadlines is **GRANTED** and the following deadlines are entered:

January 17, 2025 – Responsive Pleading Deadline

January 24, 2025 – Deadline to file ADR Certification

January 24, 2024 – Deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan

February 14, 2025 – Deadline to make initial disclosures

February 14, 2025 – Deadline to file Joint Case Management Statement

February 25, 2025 at 2 p.m.– Initial Case Management Conference via a Zoom webinar. The Zoom webinar information and instructions remain the same as previously provided in docket no. 15.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 12/18/2024


The Honorable Haywood S. Gillam, Jr.